

## Fair Political Practices Commission

### Memorandum

**To:** Chairman Randolph, Commissioners Blair, Downey, Karlan, and Knox,  
**From:** Andy Domek, Executive Fellow  
Mark Krausse, Executive Director  
**Subject:** Legislative Report  
**Date:** July 31, 2003

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<i>Action Items</i>	<i>Bills Amending the PRA</i>
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Bill No.	Author	Title	Introduced/Amended
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<b>AB 1784 Wolk</b>	<b>Political consultant/ lobbyist behavior</b>	<b>Introduced 7/15/03</b>
Prohibits legislators from participating in decisions in connection with which a lobbyist, with whom the legislator has a business relationship, has attempted to influence the legislator. Defines business relationship, and requires legislators who recuse themselves under this section to disclose the nature of the business relationship on the record. <b>May be heard in committee August 15. Urgency Clause. Recommendation: Support if amended.</b>		

<b>AB 1785 Frommer</b>	<b>Political consultant/ lobbyist behavior</b>	<b>Introduced 7/15/03</b>
This bill prohibits a lobbyist from contacting a legislator with whom the lobbyist has or had a contract to provide political consulting services during the two year period for the purpose of influencing legislative action. <b>May be heard in Committee August 15. Urgency Clause. Recommendation: Support if amended.</b>		

<i>Informational Items</i>	<i>Bills Amending the PRA</i>
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Bill No.	Author	Title	Introduced/Amended
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<b>AB 1197 Wiggins</b>	<b>School Officials: Conflicts of Interest</b>	<b>Amended 6/24/03</b>
Includes in the definition of "designated employee" any board member, chief business officer, superintendent, assistant superintendent, deputy superintendent, associate superintendent, chief personnel officer, and general counsel of a public school district or county office of education, and equivalent positions, and any individual having governance or management responsibility in a charter school. <b>To be heard 7/2/03 in Senate Elections.</b>		

<b>AB 1501 Levine</b>	<b>Voluntary expenditure limits</b>	<b>Amended 6/23/03</b>
Allows a state candidate, until the end of the fifth business day after the deadline to file nomination papers, to change his or her statement accepting or rejecting the voluntary expenditure limits at any time prior to the deadline for filing nomination papers, provided that he or she has not exceeded the voluntary limits. This bill would prevent a candidate from changing his or her statement more than twice after the deadline. <b>To be heard 7/2/03 in Senate Elections. Commission Position: Support</b>		

**Informational Items — Bills Amending the PRA (cont'd)**

Bill No.	Author	Title	Introduced/Amended
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**AB 1623 Longville Public Financing of Elections: Freedom Drafts Amended 4/21/03**

Repeals the prohibition on using public funds to obtain elected office. Provides for the creation of "Freedom Drafts," defined as a claim on an amount in the State treasury, for an individual to make one or more contributions to an eligible recipient, on a form prescribed by the Secretary of State, in the amount of not less than \$10 each, and which in the aggregate do not exceed \$100 in a calendar year. **Failed passage in Assembly Elections; reconsideration granted.**

**AB 1678 Negrete-McLeod Public Officials Amended 4/3/03**

This bill would apply to all public officials the PRA's ban on the influencing of any governmental decision relating to those with whom a public official is negotiating, or has any agreement concerning, future employment. **Scheduled to be heard in Senate Elections on 7/2/03. Staff Recommendation: Reduce appropriation requested from \$250,000 to \$145,000 annually to reflect more accurate estimate of increase in Commission workload. See attached analysis.**

**SB 467 Johnson Last-term-officeholder fundraising Introduced 2/20/03**

Allows an elected state officer serving his or her last term to accept contributions to pay for expenses associated with holding that office. The contributions are subject to Prop. 34 limits. **Failed Passage in Senate Elections; reconsideration granted.**

**SB 530 Johnson SOS Lobbyist Directory Amended 4/28/03**

Requires the Secretary of State to establish the Internet Directory of Lobbyists within sixty days after the start of each legislative session. **Scheduled to be heard 7/8/03 in Assembly Elections.**

**SB 604 Perata Cumulative contributions Amended 6/10/03**

Reintroduction of SB 3 (Commission sponsored) of last session, joined with several other provisions. Defines "cumulative contributions" to be those contributions received beginning 12 months prior to the date the committee made its first expenditure to qualify, support, or oppose the measure and ending within seven days of the time the advertisement is sent to the printer or broadcast station. Also modernizes the language of the Act relating to the filing of a statement of organization by deleting a reference to filing by telegram, and adds methods for filing, including facsimile transmission and guaranteed overnight delivery. **Recently amended to reform the slate mail disclosure statutes at issue in Levine v. FPPC. Urgency clause. Commission Position: Sponsor**

**Informational Items — Bills Amending the PRA (cont'd)**

Bill No.	Author	Title	Introduced/Amended
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**SB 641 Brulte Campaign expenditures: telephone advocacy Amended 7/1/03**

This bill would change the definition of “mass mailing” found in the Act from “mail” to a specific definition of what items delivered to a person constitute a mass mailing. It also adds language to the act prohibiting the expenditure by a candidate, committee or slate mail organization for anonymous telephone advocacy for a candidate, ballot measure, or referendum. The author accepted an amendment made by the Commission to maintain a record of the call’s script or in the case of a prerecorded message, a taped copy. This would not apply to telephone calls made by the candidate, campaign manager, or volunteers. The author rejected a Commission sponsored amendment requiring disclosure at the beginning of the call. **Urgency clause. Hearing canceled at request of the author.**

**SB 733 Johnson Political Reform Act spot bill Introduced 2/21/03**

Placeholder measure. **In Senate Rules Committee for assignment.**

**SB 1072 Burton Political Reform Act: Late Contributions Amended 6/9/03**

Adds contributions made to or received by a political party committee after the closing date of the last campaign statement required to be filed before an election to the definition of late contribution. *Commission-drafted amendments were taken on 6/9/03.* **Urgency clause. In Assembly Appropriations. Commission Position: Support.**

**SBX1 7 Committee on Budget Online Filing Requirements Amended 4/28/03**

Would require online filing for all state candidates and committees in order to eliminate paper filings and save \$137,000 in Secretary of State staffing costs. **Re-referred to Assembly Budget Committee. Urgency Clause.**